

### REMARKS

Applicant has carefully reviewed the Application in light of the Office Action dated September 2, 2008. Claims 1-20 are currently pending. Claims 1, 10, and 19 have been amended. No new matter has been added by the amendments to the claims. Applicant respectfully requests reconsideration of the application in accordance with the following remarks.

#### Section 103 Rejections

Claims 1-20 were rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Publication No. 2003/0158960 A1 to Engberg (“Engberg”) in view of U.S. Patent No. 7,340,438 B2 to Nordman et al. (“Nordman”). Applicant respectfully submits that the cited references fail to teach all the features of the claims.

Claim 1 recites “generating a report for presentation to the individual when at least one of the third parties requests access to information related to the consumer identifier” and “allowing the individual to control which of the third parties that requested access can access information related to the individual.” Engberg fails to teach these features of the claim, as also indicated in the Office Action (page 4). Nordman also fails to at least teach these features and instead teaches a way to conduct anonymous service transactions using a user device (Nordman, 7:19-21). Nordman teaches that a supervising authority may inform the user with a status of stored personal assets, where the status may identify unauthorized access and/or accesses conducted by a party (Nordman, 3:29-32). However, this is not the same as allowing an individual to control which third parties that request access can access information related to the individual. Instead, Nordman teaches that a user may get status updates of who has unauthorized access and/or who accesses personal assets. Accordingly, Nordman fails to teach generating a report for presentation to the individual when a third party requests access to information related to the consumer identifier and allowing the individual to then control whether this third party, that requested access, can access information related to the individual.

The Office Action states that Nordman teaches these features in column 3, lines 20-25, column 6, lines 35-48, column 7, lines 16-23, and column 8, lines 40-51). However, these portions of Nordman teach that a supervising authority can supervise enforcement of rights management rules over stored personal assets. Allowing control of third party access by generating a report for presentation to a user and then allowing control of that third party's access is different than utilizing a set of rules to determine access. Accordingly, Nordman fails to teach all the features of the claim.

Since the teachings of Engberg and Nordman fail to teach or make obvious allowing an individual to control which third parties that requested access can access information related to the individual, claim 1 and its corresponding dependent claims are allowable over the cited art.

Independent claims 10 and 19 include limitations similar to claim 1. Accordingly, for at least the reasons previously mentioned in connection with claim 1, claims 10 and 19 and their corresponding dependent claims are allowable over the cited art.

### CONCLUSION

It is believed that all of the pending claims have been addressed. However, the absence of a reply to a specific rejection, issue or comment does not signify agreement with or concession of that rejection, issue or comment. In addition, because the arguments made above may not be exhaustive, there may be reasons for patentability of any or all pending claims (or other claims) that have not been expressed. Finally, nothing in this paper should be construed as an intent to concede any issue with regard to any claim, except as specifically stated in this paper, and the amendment of any claim does not necessarily signify concession of unpatentability of the claim prior to its amendment.

If any extension of time is required, Applicant hereby requests the appropriate extension of time. Please apply any charges or credits to Deposit Account No. 05-0765.

Respectfully submitted,

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/Elizabeth Philip Dahm/

Elizabeth Philip Dahm

Reg. No. 51,352

Fish & Richardson P.C.  
1717 Main Street, Suite 5000  
Dallas, TX 75201  
Telephone: (214) 760-6119  
Facsimile: (877) 769-7945